

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

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|---|---|------------------------|
| LADDY CURTIS VALENTINE and |) | |
| RICHARD ELVIN KING, individually and |) | |
| on behalf of those similarly situated, |) | |
| |) | Case No. 4:20-cv-01115 |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| BRYAN COLLIER, in his official capacity, |) | |
| ROBERT HERRERA, in his official capacity, |) | |
| and TEXAS DEPARTMENT OF CRIMINAL |) | |
| JUSTICE. |) | |
| Defendants. |) | |
| |) | |
| |) | |
| |) | |

PLAINTIFFS' TRIAL WITNESS LIST

Plaintiffs Laddy Curtis Valentine and Richard Elvin King, individually and on behalf of those similarly situated (collectively, "Plaintiffs") respectfully submit the following preliminary list of witnesses who will be called to testify at trial, who may be called to testify at trial, and who may be presented by deposition testimony at trial. For those witnesses that may be presented by deposition testimony at trial, Plaintiffs will identify the transcript line and page numbers to be offered.

In the event there are any other witnesses to be called at trial, their names, addresses, and the subject matter of their testimony shall be reported to opposing counsel as soon as they are known. This restriction shall not apply to rebuttal or impeaching witnesses, the necessity of whose testimony cannot reasonably be anticipated before the time of trial.

WITNESSES PLAINTIFFS EXPECT THAT THEY WILL CALL

Roger Beal

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Beal is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Gary Butaud

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Butaud is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Dr. Robert Cohen

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Dr. Young is one of Plaintiffs' expert witnesses. Dr. Cohen may testify about the medical dangers of COVID-19, disease transmission in correctional institutions, the provision of medical care in correctional institutions, the adequacy of TDCJ's policies and procedures, the steps medically required to protect the Plaintiff class from the threat of COVID-19, and the feasibility of implementing those steps at the Pack Unit.

Bryan Collier

Contact through counsel
Office of the Attorney General
P.O. Box 12548, Capitol Station
Austin, TX 78711

Mr. Collier is a defendant to this lawsuit in his official capacity as the Executive Director of TDCJ. Plaintiffs may call Mr. Collier to testify about issues relating to the structure of TDCJ, TDCJ's policymaking, and TDCJ's response to COVID-19.

Custodian of Records for TDCJ

Contact through counsel
Office of the Attorney General
P.O. Box 12548, Capitol Station
Austin, TX 78711

TDCJ Custodian of Records for COVID-19 Test Results for Inmates at the Pack Unit, including, but not limited to, the custodian of records for Defendants' production Bates labeled 2506 to 2554. This individual may testify as to the authenticity of documents.

Lorie Davis (by Deposition)

Contact through counsel
Office of the Attorney General
P.O. Box 12548, Capitol Station
Austin, TX 78711

Ms. Davis is the Director of the Correctional Institutions Division for TDCJ. She may testify through her deposition as an officer and director of TDCJ regarding TDCJ's response to COVID-19.

Harold Dove

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Dove is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Robert Herrera

Contact through counsel
Office of the Attorney General
P.O. Box 12548, Capitol Station
Austin, TX 78711

Warden Herrera is a defendant to this lawsuit in his official capacity. Plaintiffs may call Warden Herrera to testify about the events giving rise to this lawsuit, the Pack Unit's response to COVID-19, and TDCJ policies and procedures that he follows at the Pack Unit.

Mary Hunter, LVN

University of Texas Medical Branch, Correctional Managed Care
301 University Blvd.
Galveston, TX 77555

Ms. Hunter is a licensed vocational nurse at the Pack Unit who is employed by UTMB. Ms. Hunter may testify regarding UTMB's implementation of Policy B-14.52 at the Pack Unit, the Pack Unit response to COVID-19, including the medical staff at the Pack Unit.

Marvin Jones

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Jones is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Richard Elvin King

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. King is a named Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Dr. Lannette Linthicum

Contact through counsel
Office of the Attorney General
P.O. Box 12548, Capitol Station
Austin, TX 78711

Dr. Linthicum is the Director of Health Services for TDCJ. Plaintiffs may call Dr. Linthicum to testify about issues relating to TDCJ's knowledge of COVID-19, TDCJ's response to COVID-19, and TDCJ's relationship with other healthcare providers and entities, including the Correctional Managed Healthcare Committee, UTMB, and Texas Tech.

Oscar Mendoza

Contact through counsel
Office of the Attorney General
P.O. Box 12548, Capitol Station
Austin, TX 78711

Mr. Mendoza is a corporate representative for TDCJ. Plaintiffs may call Mr. Mendoza to testify through his 30(b)(6) deposition about issues relating to the structure of TDCJ, TDCJ's policymaking, and TDCJ's response to COVID-19.

Ryan Montez

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Montez is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Dr. Owen Murray

University of Texas Medical Branch, Correctional Managed Care
301 University Blvd.
Galveston, TX 77555

Dr. Murray is the University of Texas Medical Branch's joint medical director designee to the CMHCC. Dr. Murray may testify regarding CMHCC, TDCJ's Policy B-14.52 concerning COVID-19, and the UTMB/TDCJ joint response to COVID-19.

Thomas Pennington

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Pennington is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Jon Reynolds

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Reynolds is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Michael Smith

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Smith is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Major Dana Sullivan

Contact through counsel
Office of the Attorney General
P.O. Box 12548, Capitol Station
Austin, TX 78711

Mr. Sullivan is the Major at the Pack Unit. Mr. Sullivan may testify regarding his knowledge of TDCJ's policies and procedures as they are being applied at the Pack Unit and how the Pack Unit staff has responded to the COVID-19 pandemic.

Laddy Curtis Valentine

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Valentine is a named Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Secretary Eldon Vail

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Secretary Vail is one of Plaintiffs' expert witnesses. Secretary Vail may testify about the adequacy of TDCJ's response to the COVID-19 pandemic, the adequacy of TDCJ's policies and procedures concerning COVID-19, and the feasibility of Plaintiffs' proffered permanent injunction at the Pack Unit.

Dr. Jeremy Young

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Dr. Young is one of Plaintiffs' expert witnesses. Dr. Young may testify about the medical dangers of COVID-19, disease transmission in prisons and correctional institutions, the medical necessities to combat the spread of disease in correctional institutions, and, in particular, the adequacy of TDCJ's COVID-19 policies and procedures, the medically-required steps to ensure the safety of the inmates at the Pack Unit as it relates to COVID-19.

WITNESSES PLAINTIFFS EXPECT THAT THEY MAY CALL

Shawn Griggs

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Griggs is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Carlos Huerta

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Huerta is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Aaron Smith

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Smith is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Brittney Tilley

Contact through counsel
Office of the Attorney General
P.O. Box 12548, Capitol Station
Austin, TX 78711

Ms. Tilley is the classification officer at the prison and is charged with assigning housing to the inmates. Ms. Tilley may testify regarding the Pack Unit's response to COVID-19.

Alejandro Vela

Contact through counsel
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002

Mr. Vela is a class Plaintiff and may testify on behalf of Plaintiffs regarding his experience at the Pack Unit as it relates to COVID-19 and TDCJ's response to the pandemic.

Dated: July 12, 2020.

Respectfully submitted,

WINSTON & STRAWN LLP

By: /s/ John R. Keville

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Counsel for Plaintiffs

Certificate of Service

I hereby certify that a true and correct copy of the foregoing document was served on all counsel of record on July 12, 2020.

/s/ John R. Keville

John R. Keville